

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF GEORGIA  
MACON DIVISION**

**UNITED STATES OF AMERICA**

**VS.**

**HAROLD LEROY HOUSLEY, JR.,**

**Defendant**

**NO. 5: 09-CR-29 (HL)**

**VIOLATIONS: Post Office Robbery Related**

**ORDER OF DETENTION PENDING TRIAL**

In accordance with the Bail Reform Act, 18 U.S.C. §3142(f), a DETENTION HEARING was this day held in the above-captioned case before the undersigned. The defendant was represented by Ms. Catherine Michelle Leek of the Federal Defenders Office; the United States was represented by Assistant U. S. Attorney Michael T. Solis. Based upon the evidence presented to the court by counsel for the government, as well as the contents of the Pretrial Services Report dated May 1, 2009, I conclude that the following facts require the detention of the defendant pending the trial of this case.

**PART I - FINDINGS OF FACT**

- ☐ (1) There is PROBABLE CAUSE to believe that the defendant has committed an offense
- ☐ for which a maximum term of imprisonment of ten years or more is prescribed in the Controlled Substances Act.
- ☐ under 18 U.S.C. §924(c).
- ☐ (2) The defendant has not rebutted the presumption established by finding (1) that no condition or combination of conditions will reasonably assure the appearance of the defendant as required and the safety of the community.

ALTERNATIVE FINDINGS

- ☐ (1) There is a serious risk that the defendant will not appear.
- ☒ (2) There is a serious risk that the defendant will endanger the safety of another person or the community.

**PART II - WRITTEN STATEMENT OF REASONS FOR DETENTION**

Applying the factors set forth in 18 U.S.C. §3142(g), I find that the evidence presented at the DETENTION HEARING, as supplemented by information contained in the Pretrial Services Report of the U. S. Probation Office dated May 1, 2009, establishes by clear and convincing evidence that no condition or combination of conditions set forth in 18 U.S.C. §3142(c) will reasonably assure the safety of the community were defendant Housley to be released from custody at this time. Defendant Housley is a life-long resident of Bibb County, Georgia and has strong family ties to the community. The offenses charged against him are serious felonies for which long-term incarceration can be expected if he is convicted. His estimated federal sentencing guideline range computed by the U. S. Probation Office is 78 months to 97 months to be served in prison.

The weight of evidence is strong: evidence presented to the court establishes that defendant Housley and co-defendant Vernon Anthony Reid held up the United States Post Office on Pio Nono Avenue in Macon, Georgia on December 1, 2008. Housley brandished a revolver during the robbery constituting a threat to postal employees and customers. He and Reid then left the Post Office but were identified by a witness outside that facility. In addition, defendant Housley admitted his involvement to law enforcement officers.

Defendant Housley has a prior charge in 2005 of ROBBERY BY SUDDEN SNATCHING in the Superior Court of Bibb County, Georgia which was reduced to a misdemeanor charge of SIMPLE BATTERY. Subsequent to this conviction, he was charged with violating probation. In addition, he has another misdemeanor conviction for SIMPLE BATTERY in 2009 in the State Court of Bibb County.

For the foregoing reasons, the undersigned finds that defendant Housley would pose a serious danger to the community were he to be released from custody. The employment of firearms by him and his co-defendant to carry out this robbery placed the lives of both postal service employees and customers at risk. Pretrial detention is thus mandated. IT IS SO ORDERED AND DIRECTED.

<b>PART III - DIRECTIONS REGARDING DETENTION</b>
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The defendant is hereby committed to the custody of the Attorney General of the United States or his designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. The defendant shall be afforded reasonable opportunity for private consultation with defense counsel. On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility shall deliver the defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

SO ORDERED, this 6<sup>th</sup> day of May, 2009.



A handwritten signature in black ink, reading "Claude W. Hicks, Jr.".

**CLAUDE W. HICKS, JR.**  
**UNITED STATES MAGISTRATE JUDGE**